

APPEAL NO. 030077
FILED FEBRUARY 21, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on November 7, 2002. The hearing officer determined that the appellant's (claimant) compensable injury does not extend to or include depression, generalized anxiety disorder, bilateral cubital tunnel syndrome, left carpal tunnel syndrome, right shoulder impingement, DeQuervain's tenosynovitis, and bilateral shoulder-hand syndrome/reflex sympathetic dystrophy of the upper extremities. The claimant appeals this decision. The respondent (carrier) urges affirmance.

DECISION

Affirmed as reformed.

Whether the compensable injury included the conditions alleged by the claimant was a factual question for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established from the evidence presented. Nothing in our review of the record indicates that the hearing officer's decision is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The claimant complains on appeal that the hearing officer did not recite all of the facts in her decision; however, the hearing officer was under no obligation to do so. Section 410.168(a) only requires the hearing officer to make findings of fact and conclusions of law, determine whether benefits are due, and award benefits, if any. The hearing officer made 52 Findings of Fact, which thoroughly summarize and outline the pertinent facts in this case. We do note, as the claimant correctly points out, that Finding of Fact No. 23 refers to Dr. P when in fact the doctor making the observation noted by the hearing officer was Dr. M. Additionally, Finding of Fact No. 28 refers again to Dr. P when the observations noted by the hearing officer should be attributed to Dr. S. Finding of fact Nos. 23 and 28 are hereby reformed to reflect these corrections. With regard to the claimant's assertion on appeal that the hearing officer was biased toward the carrier, nothing in our review of the record substantiates this assertion.

The hearing officer's decision and order is affirmed as reformed.

The true corporate name of the insurance carrier is **TEXAS MUTUAL INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**MR. RUSSELL R. OLIVER, PRESIDENT
221 WEST 6TH STREET
AUSTIN, TEXAS 78701.**

Chris Cowan
Appeals Judge

CONCUR:

Daniel R. Barry
Appeals Judge

Thomas A. Knapp
Appeals Judge